

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARK BRAY

Plaintiff,

v.

WORCESTER POLYTECHNIC INSTITUTE

Defendant.

Case 4:21-cv-40049-TSH

SUPPLEMENTAL AFFIDAVIT OF GREGORY A. SNODDY

I, Gregory A. Snoddy, being duly sworn, depose and say:

1. I am the Dean of Students and Assistant Vice President for Defendant Worcester Polytechnic Institute (“WPI”). I make this affidavit based on my own personal knowledge in response to the “Emergency Supplemental Motion for New Evidence Received in Support of a Temporary Restraining Order and Preliminary Injunction” (the “Supplement”) filed by WPI student Mark Bray (“Mr. Bray”). In the Supplement, Mr. Bray raises concerns about the appearance of his name in the Commencement brochure and the handling of any earned academic honors. I submit this affidavit to clarify this issue for the Court, which I understand was the subject of inquiry by the Court during the hearing on May 17, 2021.

2. As explained in my previous affidavit, WPI’s Campus Hearing Board (“CHB”) found Mr. Bray responsible for multiple violations of WPI’s Code of Conduct on April 23, 2021. The sanctions issued to Mr. Bray included a Deferred Disciplinary Suspension, which would have impacted his ability to participate in WPI’s Commencement exercises.

3. After Mr. Bray was found responsible for violations of WPI's Code, WPI's Registrar created a list of students who would be participating in Commencement exercises (the "List"). At the time, Mr. Bray's name was not on the List because of the disciplinary findings against Mr. Bray.

4. On May 8, 2021, I sent Mr. Bray an email confirming his ability to participate in WPI's Commencement exercises, which would involve having his name called, walking across a stage at WPI, and receiving a folder containing a WPI banner. I informed the Registrar that despite his disciplinary sanctions, Mr. Bray was being permitted to walk in the Commencement ceremony.

5. On May 10, 2021, Mr. Bray filed his appeal of the CHB's decision (the "Appeal"), and as previously explained, Mr. Bray's Deferred Disciplinary Suspension was placed in abeyance.

6. The "WPI Degree Candidate Information" attached as Exhibit 1 to the Supplement was automatically generated from the Registrar's List, which, as explained above, was prepared before Mr. Bray filed his Appeal. When Exhibit 1 was generated, the Registrar's Office was unaware that Mr. Bray's Deferred Disciplinary Suspension had been placed in abeyance, and thus incorrectly assumed that his name would not appear in the Commencement brochure. As described below, Mr. Bray's name will appear in a digital Commencement program.

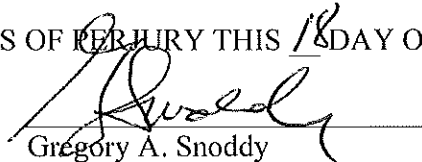
7. Regarding the format of the brochure, there will not be a printed brochure at this year's Commencement ceremonies due to adjustments to the University's commencement protocols necessitated by COVID-19. Specifically, the guidelines issued by the Commonwealth discouraged the distribution of printed items to control the spread of infection, and WPI abided

by those guidelines. Thus, rather than distributing a printed program, the names of graduating students will appear in a digital format that is available for viewing and downloading on the day of the Commencement ceremonies. Honors will not be listed in the digital Commencement program for any WPI student.

8. Mr. Bray's name has been placed in and will appear in WPI's digital Commencement program, in the same manner as other WPI students.

9. Like Exhibit 1 to Mr. Bray's Supplement, the email attached as Exhibit 2 regarding "Commencement Honor Cords" was generated from the Registrar's List, which, again, was created without knowledge of Mr. Bray's Appeal. Mr. Bray will be permitted to pick up his honor cord at the Rubin Campus Center Information Desk and wear his honor cord during Commencement exercises, the same as every other WPI student receiving honors.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 18 DAY OF MAY, 2021.


Gregory A. Snoddy